

#13/BP
PATENT
11/14/02

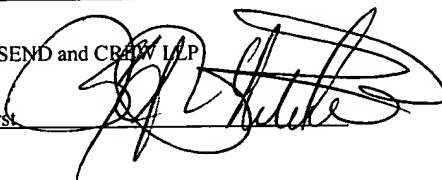
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Attorney Docket No.: 023070-079820US
Client Ref. No.: 2000-493-1

On October 17, 2002

TOWNSEND and TOWNSEND and CRAW LLP

By: Stephanie J. Whitehurst



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ETZLER and ROBERTS

Application No.: 09/657,631

Filed: September 6, 2000

For: LNP, A PROTEIN INVOLVED IN
THE INITIATION OF MYCORRHIZAL
INFECTION IN PLANTS

Examiner: Baum, Stuart F.

Art Unit: 1638

AMENDMENT AND RESPONSE TO
FIRST OFFICE ACTION

RECEIVED

OCT 25 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 17, 2002, please amend the above-identified application as follows:

IN THE CLAIMS:

Please cancel claims 2, 3, 6-8, 10 and 12 without prejudice. Please amend claims 1 and 11 as follows.

1. (twice amended) A method of increasing mycorrhizal infection in a plant, the method comprising introducing into the plant an expression cassette containing a plant promoter operably linked to a heterologous LNP polynucleotide or complement thereof, wherein the LNP polynucleotide encodes an LNP polypeptide at least about 70% identical to SEQ ID NO:2, SEQ ID NO: 4, or SEQ ID NO: 10, and selecting plants that have increased mycorrhizal infection.

B1

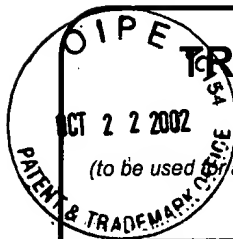
1638

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/657,631	
	Filing Date	September 6, 2000	
	First Named Inventor	Etzler, Ph.D., Marilyn E.	
	Group Art Unit	1638	
	Examiner Name	Baum, Stuart F.	
Total Number of Pages in This Submission	33	Attorney Docket Number	023070-079820US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amendment and Response (12pp); Exhibit 1 (8pp); Exhibit 2 (8pp) Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

RECEIVED

OCT 25 2002

TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm and Individual name	Townsend and Townsend and Crew LLP Kevin Bastian	Reg. No. 34,774
Signature		
Date	October 17, 2002	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: October 17, 2002		
Typed or printed name	Stephanie J. Whitehurst	
Signature		Date October 17, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1397218 v1